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**FROM:** Todd W. Wight**DATE:** February 17, 2005

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| Number of pages with cover page: | <b>6</b> |
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**Comments:**

|                              |  |
|------------------------------|--|
| <b>Attorney Docket No. :</b> | <b>297912004300</b>  |
| <b>Group Art Unit:</b>       | <b>Not Yet Assigned</b>  |
| <b>Examiner:</b>             | <b>Not Yet Assigned</b>  |
| <b>Application Number:</b>   | <b>10/500,518</b>  |
| <b>Filing Date:</b>          | <b>June 29, 2004</b>   |
| <b>Inventors:</b>            | <b>Heske et al.</b>  |
| <b>Title:</b>                | <b>Biopsy Device and Insertable Biopsy Needle Module</b>                       |
| <b>Attachments:</b>          | <b>Transmittal (1 pg.), Supplemental IDS (3 pgs.),<br/>PTO/SB/08a/b (1pg.)</b> |

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PAGE 1/6 \* RCVD AT 2/17/2005 6:58:16 PM [Eastern Standard Time] \* SVR:USPTO-EFXXRF-1/1 \* DNIS:8729309 \* CSID:949 251 0900 \* DURATION (mm-ss):02-28

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /E.L./

Receipt date: 02/17/2005

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PTO/SB/21 (09-04)

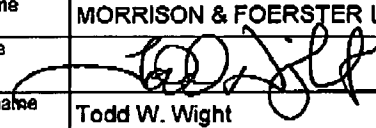
Approved for use through 07/31/2006. OMB 0651-0031

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|  |                        |                  |
|--|------------------------|------------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | Application Number     | 10/500,518       |
|  | Filing Date            | June 29, 2004    |
|  | First Named Inventor   | Norbert HESKE    |
|  | Art Unit               | Not Yet Assigned |
|  | Examiner Name          | Not Yet Assigned |
|  | Attorney Docket Number | 297942094300     |
| Total Number of Pages in This Submission   |                        | 5                |

| ENCLOSURES (Check all that apply)  |  |   |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement - Supplemental (3 pgs.)<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>PTO/SB/08a/b (1 pg.) |
| Remarks  |  |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |          |        |
|--|---|----------|--------|
| Firm Name                                  | MORRISON & FOERSTER LLP - (Customer No. 25226)                                      |          |        |
| Signature                                  |  |          |        |
| Printed name                               | Todd W. Wight   |          |        |
| Date                                       | February 17, 2005   | Reg. No. | 45,218 |

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PAGE 2/6 \* RCVD AT 2/17/2005 6:58:16 PM [Eastern Standard Time] \* SVR:USPTO-EFXXF-1/1 \* DNIS:8729309 \* CSID:949 251 0900 \* DURATION (mm-ss):02:28

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Amendment, Patent and Trademark Office, facsimile no. (703) 572-9305 on the  
date shown below.

Dated: February 17, 2005 Signature: *Linda M. Burleigh*

(Linda M. Burleigh)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Norbert HESKE et al.

Serial No.: 10/500,518

Filing Date: June 29, 2004

For: **BIOPSY DEVICE AND INSERTABLE  
BIOPSY NEEDLE MODULE**

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the  
above-identified application the documents listed on the attached Form PTO/SB/08a/b. The  
Examiner is requested to make these documents of record.

oc-292626

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
- ☐ A fee is required. A check in the amount of \_\_\_ is enclosed.
- ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_\_ is enclosed.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

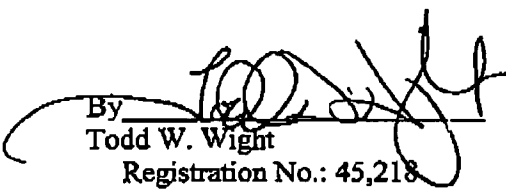
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(iii) the information, protocols, results and the like reported by third parties, are accurate or enabling, or  
or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees in connection with the filing of this document to Deposit Account No. 03-1952 referencing (297912004300). However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 17, 2005

Respectfully submitted,

By   
Todd W. Wight

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ALTERNATIVE TO PTO/SB/08a (03/04)

|   |              |    |   |                      |                  |  |
|---|--------------|----|---|----------------------|------------------|--|
| Substitute for form 1449/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(Use as many sheets as necessary) |              |    |   | Complete if Known    |                  |  |
|   |              |    |   | Application Number   | 10/500,518       |  |
|   |              |    |   | Filing Date          | June 29, 2004    |  |
|   |              |    |   | First Named Inventor | Norbert HESKE    |  |
|   |              |    |   | Art Unit             | Not Yet Assigned |  |
|   |              |    |   | Examiner Name        | Not Yet Assigned |  |
| Attorney Docket Number  | 297912004300 |    |   |                      |                  |  |
| Sheet   | 1            | of | 1 |                      |                  |  |

| U.S. PATENT DOCUMENTS |                       |   |                                |  |   |
|-----------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | Document Number<br>Number-Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Tables;<br>Relevant Passages or Relevant<br>Figures Appear |
|                       | 1.                    | US-6,849,080-B2   | 02-01-2005                     | Lee et al.   |   |
|                       | 2.                    | US-2005/0004492-A1  | 01-06-2005                     | Burbank et al.                                     |   |
|                       | 3.                    | US-2005/0010131-A1  | 01-13-2005                     | Burbank et al.                                     |   |
|                       | 4.                    | US-2005/0027210-A1  | 02-03-2005                     | Miller   |   |

| FOREIGN PATENT DOCUMENTS |                       |  |                                   |  |   |
|--------------------------|-----------------------|--|-----------------------------------|--|---|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear |
|                          |                       |  |                                   |  |   |
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\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.2). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 18 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS |                       |   |  |  |
|---------------------------------|-----------------------|---|--|--|
| Examiner Initials*              | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |  |
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

|                    |               |                 |            |
|--------------------|---------------|-----------------|------------|
| Examiner Signature | /Emily Lloyd/ | Date Considered | 12/01/2008 |
|--------------------|---------------|-----------------|------------|

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